

Wan patent. The word "length" does appear, but in the context of the length, i.e., the duration, of a time slot (see col. 5, line 63 to col. 6, line 2).

In rejecting claim 1 the Examiner refers to col. 2, lines 20-65, col. 5, lines 5-15 and to col. 12, lines 12-65 for purportedly teaching the subject matter of the second claim element reproduced above. These portions of Wan have been reviewed, and it is not clear how the Examiner finds a suggestion or teaching of the claimed subject matter. Col. 2, lines 20-65, form part of the summary of the invention, and discusses the determination of mobile unit speed (measuring the rate of change of the received signal strength), col. 5, lines 5-15, basically discusses the mobile unit transceiver and processor, and col. 12, lines 12-65, discusses setting a multiplier value based on the signal level changes, where the multiplier value is used to adjust the neighbor cell scanning frequency. The subject matter of claim 1, as set forth above, is clearly not disclosed or suggested by Wan.

Note further that claim 1 refers to "determining a value of a parameter that indicative of a signal quality experienced by the ME", and that the second element then uses this parameter when calculating the "link quality". Any disclosure of Wan in this regard is also apparently lacking. While Wan does refer to signal quality (see, for example, col. 7, lines 22-55, and col. 10, lines 45-49), it is not seen where a signal quality determination is used to calculate an indication of "link quality".

It is further noted that claim 1 also recites: "reporting the calculated indication of link quality to the wireless network". The Examiner refers to Wan at col. 2, lines 32-45 in this regard. However, what is stated at col. 2, lines 32-45, is instead:

"One embodiment of the invention is a wireless communication system comprising a plurality of base stations which transmit signals and a mobile unit which intermittently detects the signals transmitted by the plurality of base stations. A signal strength detector then determines the quality of the signals received by the mobile unit, and a processor calculates the speed at which the mobile unit is moving from one of the plurality of base stations based on the rate

of change of the quality of the signals received by the mobile unit. The processor adjusts the frequency in which the mobile unit detects the signals transmitted by at least one of the plurality of base stations based upon the speed of the mobile unit."

It is not seen where this passage expressly discloses, or suggests, or even hints at the claimed subject matter: "reporting the calculated indication of link quality to the wireless network". With the exception of the mention at col. 5, lines 6-10, that the transceiver 120 "may also uplink information to the base station 104", or that a separate transmitter can be used, and the mention at col. 5, lines 22-23, that during a call the data transmitted by the mobile unit "may include voice or data", there is no disclosure of transmitting any particular information from the mobile unit, and certainly no disclosure of "reporting the calculated indication of link quality to the wireless network", as is recited in claim 1.

Based on the foregoing argument, the Examiner is respectfully requested to reconsider and remove the rejection of claim 1 under 35 U.S.C. 102(e) as being unpatentable over Wan. This having been done, then the rejection of the dependent claims 2-16 should also be withdrawn, at least for the reason that each of these claims depends either directly or indirectly from a base claim that is allowable over Wan. Furthermore, it is not seen where the subject matter of claim 2 is expressly disclosed or suggested, as any determination of an indication of mobile unit speed in Wan appears to be performed only in the mobile unit, not in the network. This being the case, then claims 3-10 that depend from claim 2 must also be patentable. Further in this regard, and despite the Examiner's assertions, it is not seen where there is any suggestion in Wan of at least the subject matter of claim 4 (use of padding bits to send a message), or claims 5-8 (use of a Packet Associated Control Channel (PACCH) in any form or variation, as the word "packet" is not found in Wan); or claims 9 and 10 (use of a plurality of bits for indicating speed subranges). Claims 11-14 refer to a "forgetting factor", a concept that is not seen to be disclosed or suggested by Wan at col. 10, lines 50 to col. 12, line 45, or col. 13, lines 16-50, or anywhere else for that matter.

Claims 1-16, as originally presented for examination, are clearly patentable over Wan.

Claim 17 refers in part to: a unit "in said wireless network for deriving an indication of a speed of said ME within the serving cell" and a "transmitter in said wireless network for transmitting the indication of the ME speed to the ME", and to a:

"receiver in said ME for receiving said transmitted speed indication; and a processor in said ME for implementing a filter for filtering a sequence of link quality measurement data, said filter having a filter length that is a function of a parameter having a value that is a function of said received transmitted speed indication; and a transmitter in said ME for transmitting an indication of said filtered link quality measurement data to a receiver of said wireless network".

Notwithstanding the comments of the Examiner, and his citations to various portions of Wan, it is submitted, for the reasons argued above with regard to claim 1, that Wan does not expressly disclose or suggest at least the subject matter of the underlined text shown above, and thus cannot render claim 17 unpatentable. In that claim 17 is clearly patentable over Wan, then claims 18 and 19 are also clearly patentable over Wan.

Claim 20 recites in part:

"determining in the wireless network an indication of a signal quality experienced by individual ones of the plurality of ME;

transmitting the determined indications to individual ones of the ME  
using a point-to-point message;

in a particular one of the plurality of ME, receiving the transmitted indication;

using the received indication for setting a length of a filter that is employed in a filtering operation that operates on a sequence of link quality measurement data; and

transmitting a result of the filtering operation to the wireless network".

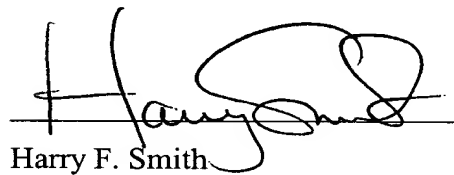
S.N. 09/457,952  
Art Unit: 2685

Once again notwithstanding the comments of the Examiner, and his citations to various portions of Wan, it is submitted, for the reasons argued above with regard to claim 1, that Wan does not expressly disclose or suggest at least the subject matter of the underlined text shown above, and thus cannot render claim 20 unpatentable.

The Examiner is respectfully requested to reconsider and remove the rejection of claims 1-20 under 35 U.S.C. 102(e) as being unpatentable over Wan, and to allow these claims as originally filed.

The attached page shows the change made to the Abstract.

Respectfully submitted:



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**ADDED PAGE TO SHOW CHANGES MADE**

**IN THE ABSTRACT OF THE DISCLOSURE:**

Amend the Abstract as follows:

A method for operating a mobile equipment (ME 10) in a wireless network (12), the method having steps of (A) determining a parameter that is indicative of a signal quality experienced by the ME, such as by determining a speed of the ME; (B) calculating in the ME an indication of link quality, the calculation employing a filtering operation having a filter length that is a function of the determined parameter, such as speed or derivative of the speed of the ME; and (C) reporting the calculated indication of link quality to the wireless network. The step of determining includes steps of (a) deriving an indication of ME speed in the wireless network; and (b) transmitting the speed indication to the ME using a point-to-point message. In a preferred embodiment the step of transmitting places the ME speed indication in padding bits of the point-to-point message, such as one sent on a Packet Associated Control Channel (PACCH). ~~In a most preferred embodiment the step of transmitting uses a plurality of bits placed into padding bits of a Packet System Identification 13 (PSI13) message sent on the Packet Associated Control Channel (PACCH). The plurality of bits (e.g., four bits) are used to encode a plurality of speed subranges (e.g., 16 subranges) of a predetermined ME speed range (e.g., 0km/hr to 250km/hr). The indication of ME speed is used to one of modify or replace a forgetting factor "a" that is calculated using a parameter received in a broadcast message from the wireless network. The forgetting factor influences the length a running average filter that operates on link quality measurement data, such as a mean Bit Error Probability (BEP) or a coefficient of variation of the BEP.~~